

DAVID STEPHENSON | STAFF

Junior Sweeting, right, talked with Keeneland pony manager Joe Riggs in April. Sweeting said he still visits the track occasionally: "It's hard being out there now, especially seeing people riding the horses."

CRUSHED, REJECTED

Backside charities didn't help

From Page A1

insurance or charity provided by the state or the horse industry.

But Sweeting learned how thin that safety net is.

"Sometimes I lay here and wonder why it happened," he said during an interview at his small apartment in Lexington.

"I just think they turned their back on me."

Blood on the track

At dawn on April 10, 1999, the opening day at Keeneland, Sweeting was exercising a filly, one of eight horses he was to ride that morning for several trainers. The filly collapsed, tumbling down the track with Sweeting underneath.

A hoof split his belly open like a melon; his left eye burst out of its socket. He remembers the pain. Then nothing until Derby Day, three weeks later.

He had broken ribs, a bruised heart, bruised kidneys, a bruised liver and collapsed lungs. He cracked two teeth. Doctors saved his eye.

Sweeting said the trainer he was working for at the time of the fall, Raul Escudero, came to see him at the University of Kentucky Hospital. He brought more than \$600 that "people had collected on the racetrack, the backside people, and some checks from some trainers."

That, Sweeting said, was the last money he saw from Escudero. Neither the track nor the horse's owner — whom Sweeting says he never knew for certain — helped with his \$90,000 in medical bills.

"I did not," Escudero said in an interview.

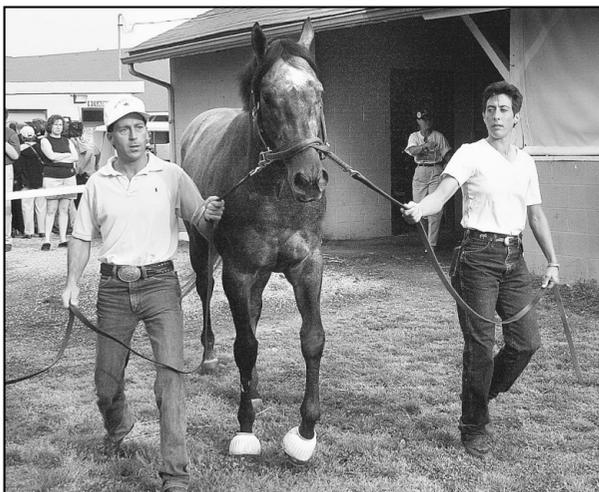
Escudero also didn't provide any workers' compensation for Sweeting. Under Kentucky law, he didn't have to.

Freelance riders like Sweeting are considered independent contractors, and by law they're responsible for their own insurance, Escudero noted.

"They should think about their insurance," he said. "The first thing I think about is to pay my family's health insurance and life insurance."

Regardless of what state law allows, Eric Reed, another trainer for whom Sweeting used to ride, says Sweeting should have received workers' comp benefits. Reed disputed the notion of exercise riders as independent contractors.

"There's no such thing as a freelance rider," Reed said. "He's using your saddle, your bridle. You're telling him what to do. He's your



FRANK ANDERSON | STAFF FILE PHOTO

Yvonne Azeff, right, assistant trainer of Monarchs, was nearly killed in a training accident. Workers' compensation paid her medical and rehab bills.

employee."

"What happened to Sweeting is a terrible tragedy," Reed said. "He's getting shafted all the way around."

A trainer for whom Sweeting worked decades ago is John Ward, who won the Kentucky Derby with Monarchs in 2001.

Ward contrasts Sweeting's case with that of his former assistant, Yvonne Azeff. In the spring of 2002, she was nearly killed when her horse, Mouse — Monarchs' stable pony — threw her onto a horse path at Gulfstream Park in Florida.

After nearly \$2 million in medical treatments, rehabilitation and disability payments — all covered by Ward's workers' compensation policy — Azeff has largely recovered, he said.

"It's amazing," Ward said. "You can compare them, but their lives change when the insurance issue comes in."

'This isn't working'

Even when there isn't insurance, many backside riders say the Horsemen's Benevolent & Protective Association or the Kentucky Racing Health & Welfare Fund can help pick up the tab after an injury on the job.

They don't. Both groups get a portion of Kentucky's gambling revenue for backside's charity. But both say they do not pay for medical expenses stemming from workplace injuries because, in theory, they're covered by workers' comp.

But that isn't happening, representatives of the two charities said. "What we're doing here in Ken-

tucky, this isn't working," said Richard Riedel, executive director of the health and welfare fund, which receives millions of dollars a year from uncashed betting tickets.

Riedel said that at least once a week, he sees a request for help with a work-related injury.

He stressed that he's neutral, "not an advocate" for changing the system. But he added: "It makes me upset when you see people get hurt and there's no coverage."

Marty Maline, the executive director of the Kentucky HBPA, said free-lance exercise riders have the least chance of insurance coverage and the greatest chance of injury.

A free-lancer like Sweeting might ride 15 horses a day for several trainers, earning \$10 to \$20 a head.

"He can make more money as an independent contractor because he works a lot of jobs. But he's on a trapeze," Maline said. "It's a dilemma, and it's a real gray area."

Wife's employer helps

The help that Sweeting did receive — beyond the small gifts from his fellow backside workers and some trainers — came from his estranged wife and a social worker.

First, Suze Maze, a former backside worker turned social worker, scraped up a few thousand dollars from out-of-state charities for Sweeting. She got his repossessed van back and kept his family from being evicted.

Second, his wife, Delphia Sweeting, recalls that her employer's insurance helped pay some of the \$90,000 in medical bills, even though the couple had separated

before the accident.

Delphia Sweeting said she also approached Keeneland to ask for help but was turned away.

"They said he wasn't working for Keeneland ... so there wasn't anything they could do," she said. "I was shocked and disappointed."

Keeneland president Nick Nicholson, who was named to his post in December 1999, said he doesn't know what the track might have told Delphia Sweeting earlier that year.

But he confirmed that Keeneland does not cover backside workers.

"If the person hurt works for the track, then yes," Nicholson said. But backside workers don't work for the track.

Junior Sweeting said that since his accident, he has asked Keeneland's racetrack chaplain, the Rev. Mike Powers, for help many times — with little success.

Powers, whose chaplaincy gets most of its funding from the track, said that he's helped Sweeting several times with meals, utility bills and gas. He said he also told Sweeting to apply for federal disability benefits.

"I've never said that Keeneland couldn't help him," Powers said. But the chaplain's resources are limited, he said. "I need them for those working on the backstretch."

Powers has suggested that Sweeting get a job — "surely, there's something on even an entry level ... he could do."

But Sweeting says that's impossible.

"I hurt all the time," he said. "My stomach gives me troubles. If I ain't laying down flat, I hurt all the time."

In fact, he tried to go back to Keeneland's backside in 2002, he said. One morning, a horse he was grazing kicked him in the torso. Bruised and shaken, he walked away from horses for good.

Now, Escudero, who no longer trains but works primarily as a bloodstock agent, says he doesn't see the point of reopening old wounds.

"This has been a long time. I don't know if it's good for the Lexington Herald-Leader to go through all this," he said. "I don't want to do something that could hurt you-all or me."

For Sweeting, the wounds have hardly healed.

"I have to live with this the rest of my life," he said, touching the gray gusset of skin that holds in his guts. "I got a mark here to remind me every time I look at it of the thoroughbred business."



About this series

Backside workers at Kentucky racetracks are some of the least-protected in the state when it comes to workplace injuries, and they are some of the poorest in the billion-dollar horse business.

Kentucky law requires that anybody with even one employee must provide workers' compensation coverage. But a loophole allows many trainers to avoid paying for workers' comp — and only about a third of Kentucky's trainers report having the insurance.

Glossary

Backside: The stable area on the racetrack. Also known as the backstretch.

Exercise rider: Takes horses out in the morning for breezing (a moderate workout) or a sharper workout at a faster gallop. Free-lancers are paid \$10 a head — more in special cases — and might ride 15 to 20 horses a morning.

Groom: A horse's primary caretaker. Feeds, waters, cleans and bandages the horse and sees that the stall is cleaned out daily. Usually paid between \$300 and \$500 a week. Each groom might care for as many as four or five horses.

Hot walker: Walks the horse to cool it down after a workout. Usually paid \$5 a horse.

What is workers' comp?

Workers' compensation insurance exists to protect employees and employers in the event of disabling injuries sustained on the job. Workers are covered for lost wages and medical expenses, and employers receive protection from liability lawsuits.

Costs to employers vary, depending on their claims history and payroll. In Kentucky, a \$400-a-week groom could cost a trainer between \$1,092 and \$2,496 in premiums a year.